

**UNITED STATES DISTRICT COURT  
DISTRICT OF RHODE ISLAND**

INTEGRA COMMUNITY CARE  
NETWORK, LLC,

Plaintiff,

v.

XAVIER BECERRA, in his official capacity as  
Secretary of Health and Human Services;  
CENTERS FOR MEDICARE AND MEDICAID  
SERVICES,

Defendants.

C.A. No. 24-cv-530-MSM-PAS

**ORDER**

On January 3, 2025, this matter came before the Court for a hearing on Plaintiff Integra Community Care Network, LLC's ("Plaintiff") Motion for a Temporary Restraining Order and Preliminary Injunction filed December 18, 2024 (the "Motion," ECF No. 11). The Court previously entered a temporary restraining order on December 23, 2024, after a conference on December 20, 2024. ECF No. 17.

After consideration thereof, and for the reasons stated on the record at the hearing, it is hereby ordered:

1. Plaintiff's Motion for a Preliminary Injunction is GRANTED as follows:
  - a. Having considered the facts set forth in the complaint, the declarations of Dr. Ana Tuya Fulton, Matthew Harvey, and Cathy M. LaRuffa and accompanying exhibits, Plaintiff's memorandum of law in support of its motion, Defendants' response, Plaintiff's reply, and all other evidence and argument therewith and as set out on the

record at the hearing, the Court finds:

- i. Plaintiff has demonstrated a likelihood of success on the merits as to its claim;
- ii. Plaintiff has demonstrated a significant risk of irreparable injuries if the preliminary injunction does not issue; and
- iii. The balance of the equities and the public interest warrant the entry of a preliminary injunction.

2. The Court issues the following preliminary injunction:

- a. The denial of Plaintiff's Medicare Shared Savings Program renewal application by Defendant Centers for Medicare & Medicaid Services ("CMS") and the end of Plaintiff's participation in the Medicare Shared Savings Program are STAYED pending final judgment on the merits;
- b. CMS shall, within twenty-one (21) days of the entry of this order, process Plaintiff's renewal application as CMS would have done had Plaintiff's renewal application not been denied by CMS at the conclusion of Phase 1 of the application cycle on October 17, 2024, which processing shall include Plaintiff timely providing to CMS such information as CMS would normally require of a renewal applicant in Phase 2 of the application cycle and, if such information reasonably satisfies the requirements of the Medicare Shared Savings Program, CMS calculating a new historical benchmark under 42 C.F.R. § 425.652 using the data submitted by Plaintiff before the conclusion of Phase 1 of the application cycle that satisfied the requirements of the Medicare Shared Savings Program and determining beneficiary assignments using the participating-provider data submitted by Plaintiff, in the ordinary course as CMS would have had Plaintiff's application not been rejected in Phase 1; and

c. CMS shall, in conjunction with processing Plaintiff's renewal application under paragraph 2(b), above, enter into such arrangements with Plaintiff as may be reasonably necessary for Plaintiff to continue its participation in the Medicare Shared Savings Program pending final judgment on the merits.

3. For the reasons stated on the record, Plaintiff shall not be required to post security.

IT IS SO ORDERED:

A handwritten signature in blue ink, reading "Mary S. McElroy", with a long horizontal flourish extending to the right.

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Mary S. McElroy  
United States District Judge

January 13, 2025

ORDER PRESENTED BY:

**INTEGRA COMMUNITY CARE NETWORK, LLC**

By its attorneys,

/s/ Joseph D. Whelan (#5694)

/s/ Timothy K. Baldwin (#7889)

Joseph D. Whelan (#5694)

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**CERTIFICATE OF SERVICE**

I hereby certify that on January 8, 2025, a copy of the foregoing document was sent by e-mail to the following attorneys prior to submitting to the Court:

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/s/ Matthew L. Knowles